

### **REMARKS**

The application has been reviewed in light of the Office Action mailed on June 14, 2007. Claims 7-13 are currently pending in the application, with claims 7 and 11 being in independent form. By the present Amendment, claims 7 and 11 have been amended. Support for the amendments is found at least in paragraphs 28-29 and Figure 1 of the specification. Claims 1-6 were previously canceled. It is respectfully submitted that the claims pending in the application, namely claims 7-13 are patentable over the prior art.

#### **Rejection of Claims 7-13 under 35 U.S.C. § 101**

Claims 7-13 stand rejected under 35 U.S.C. § 101 as being inoperative and lacking utility. Claim 7 has been amended in a manner believed to overcome the rejection. Claim 7 has been amended to recite "said dummy cell not displaying the image". Claim 11 has been similarly amended to recite "said dummy cells not displaying an image". Support for these amendments is found at least in paragraphs 28-29 and Figure 1 of the specification.

The liquid crystal display panel member comprises an image display cell and a dummy cell. Both the image display cell and the dummy cell are filled with liquid crystal. The dummy cell does not display the image. The dummy cell is formed outside the image display area on a periphery of the image display cell. The dummy cell is used for inspecting a state where the liquid crystal is sealed between substrates. The image display cell will display an image regardless of the dummy cell. Referring to Figure 2, dummy cells may be cut off.

Accordingly, claims 7-13 are believed to be allowable. Therefore, reconsideration and withdrawal of the rejection with respect to these claims is respectfully requested and allowance of these claims is earnestly solicited.

#### **Rejection of Claims 7-13 under 35 U.S.C. § 112**

Claims 7-13 stand rejected under 35 U.S.C. § 112, first paragraph as not supported by either a specified asserted utility or a well established utility. For the reasons stated above, Applicant respectfully submits that Claims 7-13 are allowable. One skilled in the art would know how to use the claimed invention. Applicant respectfully requests that the rejection of these claims be withdrawn.

**Rejection of Claims 7-13 under 35 U.S.C. § 102(e)**

Claims 7-13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Tashiro et al (U.S. Patent Application Publication No. 2006/0176439 A1), hereinafter "Tashiro". Tashiro does not disclose or suggest "the dummy cell having the liquid crystal sealed therein." (see claim 7). Referring to Figure 80 and paragraphs 413-414, Tashiro only discloses forming a first dummy seal 324 and a second dummy seal 326 and dropping liquid crystal 328 inside the main seal 322 and in the area between the main seal 322 and the first dummy seal 324. Liquid crystal 328 is not dropped inside the first dummy seal 324 or the second dummy seal 326. Also, liquid crystal 328 is not dropped in the area between the first dummy seal 324 and the second dummy seal 326.

Regarding claim 11, Tashiro does not disclose or suggest "a plurality of dummy cells having liquid crystal sealed therein" (see claim 11). As recited above, Tashiro only discloses dropping liquid crystal 328 inside the main seal 322 and in the area between the main seal 322 and the first dummy seal 324. Liquid crystal 328 is not dropped inside the first dummy seal 324 or the second dummy seal 326 or in the area between the first dummy seal 324 and the second dummy seal 326.

Accordingly, claims 7 and 11 are believed to be patentable over Tashiro. Therefore, reconsideration and withdrawal of the rejection with respect to these claims is respectfully requested and allowance of these claims is earnestly solicited.

Claims 8-10 depend directly or indirectly from independent claim 7 and claims 12-13 depend directly from claim 11 and are therefore patentable for at least the reasons given hereinabove.

Applicant respectfully requests that the rejection of these claims be withdrawn and allowance of these claims is earnestly solicited.

**Conclusion**

In view of the foregoing amendments and remarks, Applicant respectfully submits that all claims now pending in this application, namely Claims 7-13 are now in condition for allowance. Accordingly, early and favorable consideration of this application is respectfully requested. Should the Examiner believe that a telephone or personal interview may facilitate

resolution of any remaining matters, he is respectfully requested to contact Applicant's undersigned attorney at the telephone number indicated below.

No fee is believed to be due for the submission of this amendment. If any fees are required, however, the Commissioner is authorized to charge such fees to Deposit Account No. 09-0458.

Respectfully Submitted,

/Joseph J. Petrokaitis/  
Joseph J. Petrokaitis  
Reg. No. 38,995  
Attorney for Applicant  
Phone: (845) 894-3363

**International Business Machines Corporation**

D/18G, B/321, Zip 482  
2070 Route 52  
Hopewell Junction, NY 12533  
Phone: (845) 894-3363  
Fax: (845) 892-6363